

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

LEWIS DEANS,

Plaintiff,

vs.

ANCHORAGE SCHOOL DISTRICT,  
et al.,

Defendants.

Case No. 3:05-cv-00283-TMB

ORDER GRANTING  
APPLICATION TO PROCEED  
WITHOUT PAYMENT OF FEES

Lewis Deans, representing him/herself, has filed a civil rights complaint.<sup>1</sup> Mr. Deans has also filed an amended application to waive the filing fee under 28 U.S.C. § 1915, showing that he is unable to pay the \$250.00 fee in this case.<sup>2</sup> Mr. Deans' amended application will, therefore, be granted.

**IT IS HEREBY ORDERED** that:

1. Mr. Deans' application to waive the filing fee, at docket number 9, is  
**GRANTED.**

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<sup>1</sup> See Docket No. 2.

<sup>2</sup> See Docket No. 9.

2. Mr. Deans shall proceed with the steps outlined in this Order to insure that service of process is completed within thirty days of the date of this order.<sup>3</sup>
3. The Clerk of Court shall send Mr. Deans 11 summons forms with this Order. Mr. Deans must complete the summons forms for defendants, and return the completed original forms, plus two copies for each defendant, to the Court for signature and seal. If the summonses are in proper form, they will be issued for service.<sup>4</sup>
4. Once Mr. Deans receives the summonses **issued** by the Clerk of Court (not the blank forms, which plaintiff must complete and send back to the Court), he shall send, **for each defendant**, a fully completed Form 285, a copy of the complaint, an original and one copy of the summons, and a copy of this Order to:

United States Marshal  
222 West 7th Avenue, Box 28  
Anchorage, Alaska 99513

5. When the United States Marshal receives from Mr. Deans an appropriately completed Form 285, a copy of the complaint, an original and one copy of the summons, and a copy of this Order **for each defendant**, the Marshal shall

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<sup>3</sup> See FED. R. CIV. P. 4(m). Service of process must normally be completed within 120 days of the date a complaint is filed. However, because that time has run, Mr. Deans will be given an additional 30 days in which to serve the defendants.

<sup>4</sup> See FED. R. CIV. P. 4(b).

serve a copy of the complaint, summons and this Order upon the defendants. All costs of this service shall be paid in advance by the United States. **Mr. Deans is responsible for paying the U.S. Marshal's fees and costs, however, and will be billed for these fees and costs after service of process is complete.**

6. Defendants shall have twenty (20) days after the date of service to file an answer or other responsive pleading.
7. Mr. Deans shall serve a copy of all further pleadings or documents submitted to the Court upon the defendants or, if an appearance has been entered by counsel for defendants, on defendants' attorney(s). Mr. Deans shall include, with any original paper to be filed with the Clerk of Court, a certificate stating the date that an exact copy of the document was mailed to the defendants or their counsel. A certificate of service may be written in the following form at the end of his document:

I hereby certify that a copy of the above  (name of document)  was served upon  (name of opposing party or counsel)  by  (mail/fax/hand-delivery)  at  (address)  on  (date) .

\_\_\_\_\_  
(Mr. Deans's Signature)

Any paper received by a District Court Judge or Magistrate Judge which has not been filed with the Clerk of Court or which does not include a certificate of service will be disregarded by the Court.

8. Mr. Deans shall provide the Court with the original, plus one complete and legible copy, of every paper he submits for filing, as required by this Court's Local Rule 10.1(b).
9. At all times, Mr. Deans shall keep the Court informed of any change of address. Such notice shall be titled "NOTICE OF CHANGE OF ADDRESS." The notice shall contain **only** information about the change of address, and its effective date. The notice shall not include any requests for any other relief. Failure to file the notice may result in the dismissal of the action for failure to prosecute under Rule 41(b) of the Federal Rules of Civil Procedure.
10. Mr. Deans' must explain, on or before **May 3, 2006**, why his motion to file additional exhibits, at docket number 6, should be granted, and attach a copy of the proposed exhibits.

DATED this 3rd day of April, 2006, at Anchorage, Alaska.

/s/TIMOTHY M. BURGESS  
United States District Judge